

HOUSE BILL 76

By Litz

AN ACT to amend Tennessee Code Annotated, Section
67-6-102, relative to occasional and isolated sales.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-6-102(3)(B), is amended by deleting the last sentence of the subdivision and substituting instead the following:

"Business" does not include any sales or use tax of tangible personal property of any type sold directly to consumers by any person, including, but not limited to, the Girl Scouts or county fairs; provided, however, that the tangible personal property is not regularly sold by such person or is regularly sold by such person only during a temporary sales period which occurs on a semiannual, or less frequent, basis; and provided, further, that nonprofit organizations and public schools engaging in five (5) or more fundraising events during a calendar year in which sales of tangible personal property are made during a temporary sales period shall be considered to be engaging in occasional and isolated sales during the first four (4) events. Sales made during the fifth or subsequent such fundraising event during a calendar year shall be considered to be sales at retail;

SECTION 2. This act shall take effect at 12:02 a.m. on July 1, 2007, the public welfare requiring it.